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12 United States of America

13  
14 IN THE UNITED STATES DISTRICT COURT  
15  
16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,

CASE NO. 2:23-CR-00320-KJM

18 Plaintiff,

STIPULATION REGARDING EXCLUDABLE  
19 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
20 FINDINGS AND ORDER

21 v.  
22 SHAHRIAR "SEAN" LOLOEE,  
23 KARLA MONTOYA,  
24 MIRWAIS SHAMS, and  
25 AHMAD "SHAH" SHAMS,

Defendants.

18  
19 STIPULATION

20 1. On October 22, 2024, the Court held a hearing on the defendants' motions to suppress  
21 evidence. The Court did not set a further status conference on that date, nor did the parties seek to  
22 exclude time under the Speedy Trial Act. The Court took the suppression motions under submission  
23 pending filing of supplemental briefing, which concluded on November 15, 2024.

24 2. By this stipulation, the parties now request that the Court enter an order excluding time  
25 under the Speedy Trial Act between January 6, 2025, and February 25, 2025, under Local Code T4.

26 3. The parties agree and stipulate, and request that the Court find the following:

27 a) The discovery in this case consists of at least ten terabytes of data that was  
28 previously produced to defense counsel on multiple hard drives. The discovery in this case also

1 includes dozens of boxes of physical employment records, which must be reviewed in person.  
2 All of this discovery has been either produced directly to counsel and/or made available for  
3 inspection and copying. To date, defense counsel has reviewed more than 5,000 pages of  
4 discovery and continues to do so.

5 b) Counsel for all defendants desire additional time to review produced discovery,  
6 conduct investigation and research relevant to the charges facing their clients, and otherwise  
7 prepare for trial. Counsel for all defendants believe that this process will take until at least the  
8 end of February.

9 c) Counsel for the defendants believe that failure to grant the above-requested  
10 continuance would deny them the reasonable time necessary for effective preparation, taking into  
11 account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the  
14 case as requested outweigh the interest of the public and the defendants in a trial within the  
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
17 et seq., within which trial must commence, the time period of January 6, 2025, to February 25,  
18 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
19 T4] because it results from a continuance granted by the Court at the defendants' request on the  
20 basis of the Court's finding that the ends of justice served by taking such action outweigh the  
21 best interest of the public and the defendants in a speedy trial.

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1       4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
3 must commence.

4       IT IS SO STIPULATED.

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6       Dated: January 6, 2025

PHILLIP A. TALBERT  
United States Attorney

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8       \_\_\_\_\_  
9       /s/ SAM STEFANKI  
10      AUDREY HEMESATH  
11      MATTHEW THUESEN  
12      SAM STEFANKI  
13      Assistant United States Attorneys

14  
15      Dated: January 6, 2025

16       \_\_\_\_\_  
17       /s/ SHERRY D.H. HAUS  
18      SHERRY D.H. HAUS  
19      Counsel for Defendant SHAHRIAR LOLOEE

20  
21      Dated: January 6, 2025

22       \_\_\_\_\_  
23       /s/ KEVIN JAMES ROONEY  
24      KEVIN JAMES ROONEY  
25      Counsel for Defendant SHAHRIAR LOLOEE

26  
27      Dated: January 6, 2025

28       \_\_\_\_\_  
29       /s/ THOMAS A. JOHNSON  
30      THOMAS A. JOHNSON  
31      Counsel for Defendant SHAHRIAR LOLOEE

32  
33      Dated: January 6, 2025

34       \_\_\_\_\_  
35       /s/ WILLIAM J. PORTANOVA  
36      WILLIAM J. PORTANOVA  
37      Counsel for Defendant KARLA MONTOYA

38  
39      Dated: January 6, 2025

40       \_\_\_\_\_  
41       /s/ MICHAEL D. LONG  
42      MICHAEL D. LONG  
43      Counsel for Defendant MIRWAIS SHAMS

44  
45      Dated: January 6, 2025

46       \_\_\_\_\_  
47       /s/ TIMOTHY E. WARRINER  
48      TIMOTHY E. WARRINER  
49      Counsel for Defendant AHMAD SHAMS

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53       **ORDER**

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55      IT IS SO FOUND AND ORDERED this 17th day of January, 2025.